

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION**

**JUDGE'S ORDER NO. 113 OF 2017
IN
TESTAMENTARY PETITION NO. 1207 OF 2015**

Amit H. Prasad ...Deceased

Uttara Hanumanthu Prasad ...Petitioner

Ms.Sandhya Nanavbare I/b. M.Janardhanan for Petitioner.

CORAM : S.C. GUPTE, J.

DATE : 28 NOVEMBER 2017

P.C. :

This Judge's Order is applied in a petition for succession certificate. The succession certificate relates to certain securities belonging to the deceased, Amit H. Prasad. The Petitioner is the widow of the deceased. The deceased is survived by the Petitioner and her two minor children, who are, respectively, aged 12 and 15 years. The department has raised an objection that as a condition of the grant, the Petitioner has to deposit the minors' shares in court. The Petitioner does not have any funds with her to deposit the minors' shares. The Petitioner submits that only after the grant, when the Petitioner disposes of the securities belonging to the deceased, that she can deposit the respective shares of the minors in court. The minors' shares come to about Rs.24,56,500/-. On these facts, the application deserves to be allowed. The Petitioner undertakes to deposit the minors' shares in this court within three weeks of sale of the securities. As and when any particular security is sold by the deceased, the minors'

shares represented in that security must be deposited with the court. A separate Judge's order is accordingly signed.

2 All concerned to act on the authenticated copy of this order.

(S.C. Gupte, J.)